

## **Attachment 2 - Eligible Applicant Documentation**

### **Is the Applicant a local agency as defined in Appendix B of the Guidelines? Please explain.**

The Santa Ana Watershed Project Authority ("SAWPA") and the recognized Regional Water Management Group for the Santa Ana Region as defined by the DWR is a public agency and a joint powers authority consisting of the following member agencies: Eastern Municipal Water District, Inland Empire Utilities Agency, Orange County Water District, San Bernardino Valley Municipal Water District, and Western Municipal Water District.

### **What is the statutory or other legal authority under which the applicant was formed and is authorized to operate?**

SAWPA has the legal authority to plan, construct, operate, maintain and rehabilitate projects for irrigation, municipal, and industrial water supplies pursuant to Amendment No. 1 to the Joint Exercise of Powers Agreement Creating the Santa Ana Watershed Project Authority. The Authority was formed by the Joint Exercise of Powers Agreement pursuant to the provisions of Article 1, Chapter 5, Division 7, Title 1 of the Government Code of the State of California relating to the joint exercise of powers common to public agencies.

### **Does the applicant have legal authority to enter into a grant agreement with the State of California?**

Yes.

### **Describe any legal agreements among partner agencies and/or organizations that ensure performance of the Proposal and tracking of funds.**

The existing SAWPA JPA agreement, previously described, among the five partner public agencies will ensure performance of the Proposal and tracking of funds. SAWPA has a long history of entering into legal agreements with the State of California in the use of grant funds to implement planning and construction projects. Financial tracking mechanisms are in place and operating at SAWPA to ensure the full performance requirements under the Proposal. All SAWPA financials are subject to annual audit.

A cost share agreement with the U.S. Bureau of Reclamation (Reclamation) and SAWPA for the Santa Ana Watershed Basin Study program is currently being processed and will be brought to the SAWPA Commission for their consideration of approval on October 19, 2010. Reclamation has announced SAWPA as an award winner of the FY 2010 Basin Study Program which will provide Federal funding towards the development of the Santa Ana IRWM Plan Update. The Web link of the recent Reclamation funding announcement is as follows:

<http://www.usbr.gov/newsroom/newsrelease/detail.cfm?RecordID=33410>

If for any reason, the cost share agreement with Reclamation is not executed, SAWPA agrees and commits to providing the minimum 25% local share funding required under this grant application.